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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EDWARD DEMERSON,

CASE NO. 1:08-cv-00144-LJO-SKO PC

Plaintiff,

ORDER STRIKING UNTIMELY REPLY
AND STATUS REPORT

v.

(Docs. 144 and 145)

JEANNE S. WOODFORD, et al.,

Defendants.

Plaintiff Edward Demerson, a state prisoner proceeding pro, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 29, 2008. This action is proceeding on Plaintiff's second amended complaint, filed on June 24, 2009, against Defendants Phillips, Campos, Amaro, Clausing, Bardonnex, Munoz, and Cartagina for using excessive physical force against Plaintiff, and against Defendants Munoz, Cartagina, Gregory, and Hillard for acting with deliberate indifference toward Plaintiff's resulting injuries, in violation of the Eighth Amendment of the United States Constitution.

On August 23, 2012, Plaintiff filed a reply to Defendants' opposition to his motion to amend, and on August 24, 2012, Plaintiff filed a status report.

Plaintiff's reply was due on or before July 25, 2012. Local Rule 230(1). The reply was untimely served by mail on August 15, 2012, Douglas v. Noelle, 567 F.3d 1103, 1107 (9th Cir. 2009), and the Court issued its order denying Plaintiff's motion on August 20, 2012, after the motion was submitted upon the record, Local Rule 230(1).

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1 Accordingly, Plaintiff's untimely reply is HEREBY ORDERED STRICKEN from the record.
2 In addition, Plaintiff's status report, which is non-responsive to any pending matter, is STRICKEN
3 from the record.

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IT IS SO ORDERED.

Dated: August 27, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE